

Town Board Minutes

**Meeting
No. 26**

Special Meeting

September 21, 1998

Town Board Minutes

**Meeting
No. 27**

Regular Meeting

September 21, 1998

MEETINGS TO DATE 26
NO. OF REGULARS 17
NO. OF SPECIALS 9

LANCASTER, NEW YORK
SEPTEMBER 21, 1998

A joint meeting of the Town Board and the Planning Board of the town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 21st day of September 1998, at 6:30 P.M. and there were

PRESENT: ROBERT GIZA, SUPERVISOR
NEIL CONNELLY, COUNCIL MEMBER
DONALD KWAK, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
DAVID MARRANO, PLANNING BOARD CHAIRMAN
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
FRANK DE CARLO, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ALSO PRESENT:

ROBERT THILL, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of two actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
MARK DEAN & THOMAS FERRY SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Mark Dean & Thomas Ferry site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER MARRANO, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

NOTICE OF DETERMINATION:

**MARK DEAN & THOMAS FERRY SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately .079 acres.

The location of the premises being reviewed is situate on premises locally known as 6337 Transit Road, 100 feet north of Rehm Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No adverse effects noted

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No adverse effects noted

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy.

No adverse effects noted

- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____
Robert H. Giza, Supervisor
Town of Lancaster

SEAL

September 21, 1998

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN MARRANO	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

September 21, 1998

**IN THE MATTER OF THE SEQR REVIEW OF THE
ANDERSON'S RESTAURANT SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Anderson's Restaurant site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER GOBER
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
ANDERSON'S RESTAURANT SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.2 acres.

The location of the premises being reviewed is situate on Transit Road at Michael Anthony Lane.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No adverse effects noted
 - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No adverse effects noted
 - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No adverse effects noted

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy.

No adverse effects noted

- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

September 21, 1998

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN MARRANO	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

September 21, 1998

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 6:45 P.M.

Robert P. Hill

MEETINGS TO DATE 27
NO. OF REGULARS 18
NO. OF SPECIALS 9

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LANCASTER, NEW YORK
SEPTEMBER 21, 1998

A Regular Meeting of the Town Board of the Town of Lancaster, Eric County, New York, was held at the Town Hall at Lancaster, New York on the 21st day of September 1998 at 8:00 P.M. and there were

PRESENT: NEIL CONNELLY, COUNCIL MEMBER
DONALD KWAK, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
JOHANNA COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR

EXECUTIVE SESSION:

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY CARRIED, the Town Board voted at 10:00 P.M. to deliberate in Executive Session for the announced purpose of discussing the award of a garbage contract.

At 10:45 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session

PERSONS ADDRESSING TOWN BOARD

Brett, James, 659 Harris Hill Road, spoke to the Town Board on the following matter:

- The installation of a traffic signal at the intersection of Bowen Road and William Street.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

- An audit report by Fox & Company dated April 16, 1997 reviewing building permit fees changed for seventy building permits.

Juszczak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter

- A culvert crossing Scajaquada Creek at Stone Hedge Drive

Foley, Richard, 40 Deerpath Drive, spoke to the Town Board on the following matter:

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- Possible Town site work for the construction of a proposed field house for the School District.

Zarbo, Richard, 357 Stony Road, spoke to the Town Board on the following matter:

- Inquired about the vacation rollover of Irene Dwyer.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon an amendment to Section 46-8 of the Vehicle and Traffic Ordinance Of the Town of Lancaster, Eric County, New York, designated as Chapter 46 of the Code of said Town entitled "Stop and Yield Intersections" regarding Trentwood Trail Subdivision.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

None

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:35 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons upon the rezone application of Gold Seal Equity Corporation for premises on the north side of Walden at the northeast corner of Walden Avenue and Burlington Avenue and locally known as 3524 Walden Avenue in the Town of Lancaster, New York for rezone of said property from a NB-Neighborhood Business District, to a CMS-Commercial Motor District, for Dunn Tire Corporation.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

Steve Carmina, architect for the developer

OPPOSERS

Linda Delente
Tim ~~Green~~, attorney representing the Bohm family
Carol Leonard *Brown*

ADDRESS

43 Olanta
23 Olanta Street
36 Shady Side Lane

COMMENTS & QUESTIONS**ADDRESS**

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Harold Lamb

142 Burlington Avenue

ON MOTION BY COUNCIL MEMBER MONTGOMERY, AND SECONDED BY COUNCIL MEMBER CONNELLY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:15 P.M.

PUBLIC HEARING SCHEDULED FOR 8:50 P.M.:

At 9:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment of Chapter 50, Zoning, Article VII, section 50-28(E)(1)(25) of the Code of the Town of Lancaster entitled "Off-street parking, loading and stacking facilities, Minimum parking requirements".

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

None

ON MOTION BY COUNCIL MEMBER KWAK, AND SECONDED BY COUNCIL MEMBER CONNELLY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:20 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR TO WIT:

RESOLVED, that the minutes from Joint Meeting of the Town Board and
the Planning Board held on September 8, 1998, and the Regular Meeting of the Town Board
held on September 8, 1998, be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, John Hayne, 655 Eric Street, Lancaster, New York 14086, has applied for a Dumping Permit for property situated at 655 Eric Street, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that John Hayne, 655 Eric Street, Lancaster, New York 14086 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 655 Eric Street, Lancaster, New York 14086, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

BE IT FURTHER

RESOLVED, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should also be aware that if he intends to build on any filled area, bore samples along with a structural engineer's report will be required prior to the issuance of a building permit.
3. Filled area must be topsoiled and seeded to prevent erosion.
4. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
5. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary.
6. Swales or pipe shall be installed along the property lines to direct the flow of water to the rear of the property.

7. No fill material shall be placed in or near, within 15', of the existing ditch along the rear of the property.
8. Dumping will be allowed between the hours of 7 A.M. and 5 P.M., Monday through Saturday. No dumping shall be allowed on Sunday.

and.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, the Town of Lancaster has been awarded a grant from the County of Erie through the efforts of the County Municipal Regionalism Committee in the amount of \$177,000.00 for the development of a Geographic Information Database to service the needs of a consortium composed of the Town of Lancaster, Village of Lancaster and the Lancaster Central School District [the GIS Consortium], and

WHEREAS, the GIS Consortium, with the Town of Lancaster as Lead Agency, desires to create the position of GIS Database Administrator in the Engineering Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and sign Form PO-17 (New Positions Duties Statement) for the purpose of obtaining the appropriate service title for the anticipated position of GIS Database Administrator in the Engineering Department of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

File: RPERS.CRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR TO WIT:

WHEREAS, a Public Hearing was held on the 21st day of September, 1998, for the purpose of amending Chapter 50-Zoning, Article VII, §50-28 (E)(1)(a)(25) of the Code of the Town of Lancaster, as follows:

CHAPTER 50 - ZONING

Chapter 50, Zoning, of the Code of the Town of Lancaster shall be amended as follows:

§50-28. Off-street parking, loading and stacking facilities.

E. Minimum parking requirements.

(a)

25.

- (a) Ice skating, roller rinks and gymnastics centers: one (1) space per two hundred fifty (250) square feet of gross floor area devoted to activity.

WHEREAS, persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted, and

WHEREAS, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Section 50-^{28(E)(1)(a)(25) Rpt}~~43(B)~~ of Chapter 50, Zoning, of the Code of the Town of Lancaster, County of Erie, and State of New York, be and hereby is amended to read as follows:

§50-28. Off-street parking, loading and stacking facilities.

E. Minimum parking requirements.

(a)

25.

(a) Ice skating, roller rinks and
gymnastics centers: one (1)
space per two hundred fifty
(250) square feet of gross floor
area devoted to activity.

2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 21st day of September, 1998;

3. That a certified copy of this amendment be published in the Lancaster Bee on September 24, 1998;

4. That a certified copy of this Amendment be posted on the Town Bulletin Board; and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT OF CHAPTER 50 ZONING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that Chapter 50, Zoning , Article.VII, §50-28 (E)(1)(a)(25) of the Code of the Town of Lancaster be and is hereby amended to read as follows:

**CHAPTER 50 - ZONING
ARTICLE VII
Regulations Applying to All Districts**

§50-28. Off-street parking, loading and stacking facilities.

E Minimum parking requirements.

(a)

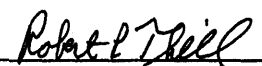
25.

(a) Ice skating, roller rinks and
gymnastics centers: one (1)
space per two hundred fifty
(250) square feet of gross floor
area devoted to activity.

STATE OF NEW YORK :
COUNTY OF ERIE : SS:
TOWN OF LANCASTER :

This is to certify that **I, ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 21st day of September 1998 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 22nd day of September 1998.


Robert P. Thill, Town Clerk

(SEAL)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER CONNELLY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, a Public Hearing was held on the 21st day of September, 1998 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster; and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on May 18, 1998;
3. That a Certified Copy thereof be published in the Lancaster Bee on September 24, 1998;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

File: rvtorda.598

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

STOP AND YIELD INTERSECTIONS

§46-8, Stop Intersections designated, is hereby amended by adding thereto the following:

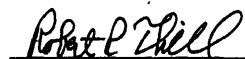
<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
<u>Trentwood Trail Subdivision</u>		
Newberry Lane	Seneca Place	S/E Corner
Trentwood Trail	Seneca Place	S/E Corner
Mohawk Place	Seneca Place	S/E Corner
Seneca Place	Seitz Avenue	N/W Corner

September 21, 1998

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY that I, **ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 21st day of September 1998, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 22nd day of September 1998.



Robert P. Thill, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

WHEREAS, RICHARD THURNHERR II, 131 Pavement Road, Lancaster, New York 14086, the owner of a parcel of property located on the east side of Pavement Road and locally known as 131 Pavement Road in the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property from AR- Agricultural Residential District to CMS - Commercial Motor Service District, and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of October, 1998, at 8:30 o'clock P.M., Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

**LEGAL NOTICE
PUBLIC HEARING
REZONE -THURNHERR
PAVEMENT ROAD
TOWN OF LANCASTER**

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LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 8th day of September, 1998, the said Town Board will hold a Public Hearing on the 5th day of October, 1998, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from and AR-Agricultural Residential District to CMS-Commercial Motor Service District:

ALL OF THAT TRACT OR PARCEL OF LAND situated in the Town of Lancaster, County of Erie and State of New York, being part of Lot 6, Section 4, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the easterly line of Pavement Road twenty-three and five hundredths (23.05) feet northerly from its intersection with the northerly line of lands owned by the Consolidated Rail Corp;

RUNNING THENCE EASTERLY parallel with the northerly line of lands owned by Consolidated Rail Corp. Two hundred thirty-seven and forty-nine hundredths (237.49) feet;

THENCE northerly parallel with the easterly line of Pavement Road two hundred eighty and thirty-eight hundredths (280.38) feet;

THENCE westerly at right angles to the easterly line of Pavement Road two hundred seventy (270) feet to a point in the center line of Pavement Road;

THENCE southerly along the center line of Pavement Road two hundred sixty-three (263) feet;

THENCE easterly thirty-three and seven hundredths (33.07) feet to the point or place of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: ROBERT P. THILL
Town Clerk

September 21, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

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WHEREAS, Carmina Silvestri Architects, 4564 Bailey, Amherst, New York 14226 has submitted Site Plans on behalf of Gymnastics Sports Academy, 21 Embry Place, Lancaster, New York, for the construction of a 12,000 s.f. gymnastics sports center on property located on the west side of Wendling Court on the west side of Cemetery Road north of Broadway, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed this project and by letter dated September 8, 1998, has recommended approval, and

WHEREAS, a SEQR review on this project was held on September 8, 1998, and a Negative Declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Carmina Silvestri, Architects, and dated September 21, 1998, on behalf of Gymnastics Sports Academy, 21 Embry Place, Lancaster, New York, for the construction of a 12,000 s.f. Gymnastics Sports Center, on property owned by Gymnastics Sports Academy, located on the west side of Wendling Court on the west side of Cemetery Road north of Broadway, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

File: rasite.998

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MONTOUR TO WIT:

WHEREAS, Irene B. Dwyer, an account clerk typist in the Office of the Youth Bureau, by letter dated September 15, 1998, has requested permission to carry over her ^{ten (10) PPS} fourteen (14) days vacation time accrued which she cannot take by her anniversary date of October 1, 1998 due to reasons cited in her letter, and

WHEREAS, the Town of Lancaster White Collar Unit of Local 815, by letter dated September 18, 1998, has indicated a willingness to concur and give their approval with the stipulation that this will be a non-precedented setting to the granting of this request,

NOW, THEREFORE, BE IT

RESOLVED, that **Irene B. Dwyer**, an account clerk typist in the Office of the Youth Bureau, shall be permitted to carry over her ^{ten (10) PPS} fourteen (14) days of 1997-1998 vacation time to her 1998-1999 year of service with the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the carry over days in the amount of fourteen (14) days will not be eligible for buy back over and above what **Irene B. Dwyer** could otherwise sell back to the Town under the provision provided in the White Collar Contract, Article 3, Section 3.1.2.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

FILE: RPERS.VAC (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated September 11, 1998 has requested the addition of the following probationary limited active member to and the deletion of member from the membership roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to and the deletion from the membership of the Bowmansville Volunteer Fire Association, of the following individuals:

ADDITION:

Sascha Troeger
7 Shadyside Lane
Lancaster, New York 14086

DELETION:

Samuel Pionessa

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts:

Claim No. 4357 to Claim No. 4581 Inclusive

Total amount hereby authorized to be paid: **\$481,445.20**

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER M ONTOUR, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

Pmt # SW	Applicant Name	Address	Structure
5376	Daniel Keane	12 Cedar Brk Dr	Er. Shed
5377	Peter Kasper	3618 Bowen Rd	Ex. Sin. Dwlg
5378	John Provenzola	18 Hunters Dr	Er. Fence
5379	Santoro Signs	80 Rotech Dr	Er. Sign
5380	Anthony Pucitto	52 Michael Anthony Ln	Er. Fence
5381	Majestic Pools Inc	192 Enchanted Fst S	Er. Fence/Pool
5382	Ralph Kuhn	22 Steinfeldt Rd	Er. Shed
5383	Robert Staebel, Robert	33 E Home Rd	Er. Deck
5384	Ken Geary	62 Creekwood Dr	Er. Fence, Pool
5385	Marrano/Marc Equity	45 Woodgate Dr	Er. Sin. Dwlg
5386	J & M Home Bldrs Inc	279 Enchanted Fst N	Er. Sin. Dwlg
5387	Capretto Homes Inc	7 Ryan St	Er. Sin. Dwlg
5388	Paul Bohn	7 Quail Hollow	Er. Shed
5389	James Guarino	5723 Genesee St	Er. Shed
5390	F & D Construction	93 Pheasant Run N	Er. Porch Roof
5391	Nicholas Long & Moore Const Co	149 Gunnville Rd	Ex. Office Bldg
5392	Innovative Nationwide Bldg Inc	4779 Transit Rd	Rem Office Bldg
5393	CJS Signs	4779 Transit Rd	Er. Sign
5394	Tom Unger	8 Broadmoor Ct	Er. Fence
5395	Norinne Antilla	118 Stony Rd	Er. Fence
5396	McKenzie-Walker Const	251 Enchanted Fst N	Er. Sin. Dwlg
5397	Timothy J Fox	1090 Townline Rd	Er. Shed
5398	Glenn Schilling	6711 Transit Rd	Er. Temp Sign
5399	Donna Wiczorek	465 Lake Ave	Er. Deck
5400	William McCarthy	5683 Broadway	Dem/Er Garage
5401	Decks Etc Inc	2 Devonshire Ln	Er. Deck
5402	Wilcox Brothers Sign	2699 Wehrle Dr	Rem. Sign
5403	Marrabo/Marc Equity	392 Seneca Pl	Er. Sin. Dwlg
5404	Marrano/Marc Equity	43 Woodgate Dr	Er. Sin. Dwlg
5405	A V Randaccio Bldrs	3 Windcroft Ln	Er. Sin. Dwlg

5406	Ryan Homes	30 Village View	Er. Sin. Dwlg
5407	Forbes Homes Inc	45 Stream View Ln	Er. Sin. Dwlg
5408	Forbes Homes Inc	18 Regency Ct	Er. Sin. Dwlg
5409	Christopher Stec	4 Butler Dr	Er. Deck
5410	Ryan Homes Inc	10 Queen's Way	Er. Sin. Dwlg

5411	Fran Silvestri	192 Enchanted Fst S	Er. Fence
5412	Deborah Watkins	345 Stony Rd	Ext. Garage
5413	Lancaster Country Club	6061 Broadway	Er. Sign
5414	Marrano/Marc Equity	388 Seneca Pl	Er. Sin. Dwlg
5415	Marrano/Marc Equity	20 Bentley Cir	Er. Sin. Dwlg

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, Mark Dean and Thomas Ferry have submitted a Site Plan , dated August 12, 1998, for the construction of a 4,100 addition to an existing building for a Day Care Center on property located on the east side of Transit Road, north of Rehm Road and locally known as 6337 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by letter dated September 3, 1998, recommended approval of this project, and

WHEREAS, a SEQR review of this project was held on Monday, September 21 1998, and a Negative Declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan prepared by DeanSutton Architects., dated August 12, 1998, and submitted by Mark Dean and Thomas Ferry for the construction of a 4,100 s.f. addition to an existing building for a Day Care Center on property located on the east side of Transit Road, north of Rehm Road and located known as 6337 Transit Road, Lancaster, New York, subject to the following condition:

- In the event a curb cut is secured to the access road to Tops, the curb cut at the north end of the site to Transit Road should be eliminated and landscaped.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

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WHEREAS, a house was constructed at 5 Village View in the Town of Lancaster and the improvement encroached approximately .25 feet (three inches) into the required seven and one half (7-1/2) foot side yard, and

WHEREAS, the builder was required to apply for a variance from the Zoning Board of Appeals for this encroachment, which variance was granted, and

WHEREAS, it has now come to the attention of the Town Board that there is a drainage easement to the Town of Lancaster which is also encroached by the improvement to the same degree and the home purchaser is unable to obtain a mortgage until the Town takes affirmative action to advise the prospective homeowner and lender that this slight encroachment will not impact the Town's use of the drainage easement area, and

WHEREAS, the Town Engineer has reviewed this matter and by written communication confirmed that this slight encroachment will not impair the Town's drainage easement;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the release of that portion of the Town's drainage easement which is the subject of the encroachment by the improvement constructed at 5 Village View, in the Town of Lancaster as shown on the survey attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER CONNELLY WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

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WHEREAS, there has been communication with the County of Erie, Department of Public Works, Division of Highways by the Town of Lancaster for several years over the signalization of William Street and Bowen Road, and the need for traffic studies by the County for William and Aurora Streets, and William Street and Lake Avenue to determine if signalization is deemed necessary since the County of Erie must make this final determination on these county roads, and

WHEREAS, the Town Board has taken the following action with the indicated response from the County of Erie:

- (1) Letter from Supervisor Greco to County Executive for signal installation at William Street and Bowen Road
--- Response from County Executive September 13, 1994 requesting Town Board resolution on installation of signal at Town expense;
- (2) Resolution by Town Board October 2, 1995 to Erie County regarding turn arrows at William and Aurora Streets and signal at William and Lake, together with letter from Police Chief Fowler dated October 17, 1995 to Erie County.
-- Response communication by County dated October 23, 1995 acknowledging Town resolution requesting a resolution from Town Board committing Town to installing signals if County deems necessary and requesting accident data for William and Aurora Streets.
- (3) September 26, 1997 letter from Erie County requesting Town Board resolution committing to signalization at Bowen Road and William Street if county study finds warranted.
- (4) Letter from County dated May 13, 1997, to Town Clerk regarding William and Aurora and William and Lake noting traffic conditions and advising that no signalization necessary at William and Lake, but authorizing temporary flashing signals with further review of intersection Intersection after William Street School opens.
- (5) Resolution by Town Board on November 3, 1997 requesting further engineering studies intersection of:
 - William and Bowen
 - William and Lake
 - William and Penora

and committing Town of Lancaster to install and maintain traffic control devices as are deemed necessary by County of Erie Traffic Study for these three (3) intersections.

- Response from Erie County November 7, 1997 acknowledging Receipt of Town Board Resolution;

(6) Letter from Erie County dated June 11, 1998 to Town Clerk regarding

- William and Bowen
- William and Penora

advising that signal warrants are met for these two intersections and further reciting that turn lanes will be required before signalization can be installed and alluding to mitigation funds from a project which was never developed;

and

WHEREAS, there are no mitigation funds to be collected from "Fairway Hills Subdivision" near the William and Bowen intersection since this project was never developed, and

WHEREAS, it is the responsibility of the County of Erie to address any necessary road improvements, including turn lanes, while the Town's obligation is limited to paying for the installation and maintenance of the signals on these County roads, and

WHEREAS, the Town has previously transmitted to the County of Erie by Board resolution its commitment to pay for the installation and maintenance of traffic signals at the three intersections:

- William and Bowen
- William and Penora
- William and Lake

NOW, THEREFORE,

BE IT, resolved that the Town Board of the Town of Lancaster hereby requests that the County of Erie approve immediately the installation of signals at these three (3) intersections and the Town, upon said approval, will undertake the funding process for the installation of these signals.

NOW, THEREFORE, BE IT

RESOLVED,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

File: rsignals.998

Council Member Montour requested a suspension of the necessary rule for immediate consideration of the following resolution

SUSPENSION GRANTED.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:**

WHEREAS, the Town Board of the Town of Lancaster, on April 20, 1998, adopted a resolution setting forth the polling places for the conduct of General and Primary Elections during the year 1998, and

WHEREAS, the polling place for Election District Nos. 38, 39, and 40, the Como Park Casino skating rink, has certain limitations relative to space, road lighting and voter safety, and

WHEREAS, the principal of the newly constructed William Street School has graciously agreed to the use of the William Street School, 5201 William Street, Lancaster, New York as a polling place for Election District Nos. 38, 39, and 40 of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted by the Town Board of the Town of Lancaster on April 20, 1998, setting forth the polling places of the Town of Lancaster for the year 1998, be and is hereby amended by deleting therefrom Como Park Casino as the polling place for Election District Nos. 38, 39, and 40 and substituting therefore the William Street School, 5201 William Street, as the new polling place for Election District Nos. 38, 39, and 40 of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 21, 1998

COMMUNICATIONS:

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601. Disaster Coordinator to Town Board -
Minutes from meeting held 8/20/98. DISPOSITION = Received and Filed
602. Council Member Stempniak to Joseph Juszcak -
Response to inquiry re: potential problems with construction of roads, storm sewers, culverts
and erosion of the banks of various streams. DISPOSITION = Received and Filed
603. Bowmansville VFA to Planning Board Chair. -
Recommendations re: proposed IMAX Theater on Transit Rd. DISPOSITION = Planning
Committee
604. Bowmansville VFA to Planning Board Chair. -
Recommendations re: proposed Tops Market on Transit and Rehm Rds. DISPOSITION =
Planning Committee
605. Bowmansville VFA to Planning Board Chair. -
Recommendations re: proposed Day Care Center at Transit and Rehm Rds DISPOSITION =
Planning Committee
606. Town Engineer to Town Board -
Recommend issuance of dumping permit to John Hayne. DISPOSITION = Received and Filed
607. Benderson Development Company to Town Board -
Advisement re: Planning Board resolution as it pertains to I-Max Theatre Complex.
DISPOSITION = Planning Committee
608. Supervisor to Town Board -
Transmittal of 1999 Special Districts Tentative Budget. DISPOSITION = Received and Filed
609. LIDA to Various Officials -
Notice of public hearings to be held 10/9/98 at Lancaster Town Hall re: Western New York
Beverage Industry Collection and Sorting, LP Project and Indy LLC. DISPOSITION =
Received and Filed
610. County Legislature Chair. Swanick to Supervisor -
Request comments on proposal to eliminate County's 4% sales tax on clothing and footwear
items purchased between 1/17-1/14/99. DISPOSITION = Received and Filed
611. Lancaster Public Library Board of Trustees to Town Board -
Request assistance re: possible closing by Village of "drop off" area in front of Lancaster
Library. DISPOSITION = Library Committee
612. *Joint News Release* to Supervisor -
Entitled "Towns Sue Waste Disposal Company for Overcharging Taxpayers". DISPOSITION
= Received and Filed
613. Planning Board Chair. to Chair., Eastern Industrial Forum -
Letter of support of Planning Board re: groups initiative in seeking the widening of Walden
Ave. DISPOSITION = Received and Filed
614. Department of Army to Supervisor -
Response to letter concerning flooding along Ellicott Creek. DISPOSITION = Received and
Filed
615. James T. Miller to Town Board -
Notification of intention to retire in 1999. DISPOSITION = Public Safety
616. ECDEP to Various Officials -
Notice of SEQR workshop to be held at ECC South on 10/6/98. DISPOSITION = Received
and Filed
617. Planning Board to Town Board -
Recommends approval for Richard Thurnherr rezone. DISPOSITION = Received and Filed
618. Planning Board to Town Board -
Minutes for meeting held September 16, 1998. DISPOSITION = Received and Filed
619. Town Clerk to various news media -
Notice of SEQR meeting for September 21, 1998. DISPOSITION = Received and Filed

620. Irene Dwyer to Town Board -
Requests to carry over vacation time. DISPOSITION = Received and Filed
621. Bowmansville Vol Fire Assn to Town Board -
Addition and deletion of members to and from active roster. DISPOSITION = Received and Filed
622. ECDEP to Supervisor -
Notification that September 21-25, 1998 is proclaimed as National Pollution Week in Erie County. DISPOSITION = Received and Filed
623. NFTC to Supervisor -
Asks participation in workshop addressing regions long range transportation plan to be held October 13, 1998. DISPOSITION = Received and Filed
624. Building Inspector to Guenther Burkhardt -
Notification that building permit #4755 issued April 16, 1998 is null and void due to conditions not being met on the site plan approval. DISPOSITION = Received and Filed
625. Youth Bureau Ex. Director to Town Board -
Request re-appointment of Jennifer Candino to position of Youth Court Coordinator, full-time, effective October 1, 1998. DISPOSITION = Resolution for 10/5/98

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER KWAK AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:45 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk